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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,461	08/31/2000	Hans Hannu	34645-00502USPT	3592
27045	7590	09/08/2004	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			PHILPOTT, JUSTIN M	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/652,461

Applicant(s)

HANNU ET AL.

Examiner

Justin M Philpott

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final:
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "80D" in FIG. 8. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-11 and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by

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U.S. Patent No. 6,751,209 to Hamiti et al.

Regarding claims 1 and 9, Hamiti teaches a method of, and corresponding system for, sending an IP-based data packet across a radio link, the data packet having a packet header including an IP identification header field, sequence number header field, and time stamp header field (e.g., see FIG. 3 and col. 4, line 8 – col. 6, line 51), the method comprising the steps of: compressing the packet header (e.g., see col. 2, line 64 – col. 3, line 8); adjusting an IP identification within the IP identification header field (e.g., IP identification field 335, see col. 6, lines 42-51) of the packet header to conform to a stream-sequential identification format (e.g., see col. 5, lines 59-63 and col. 6, lines 53-64 regarding utilizing the IP identification field 335 for fragmentation considerations); synchronizing the data packet to a radio frame based on a time stamp within the time stamp header field (e.g., RTP timestamp field 317) of the packet header and a timing of the radio frame (e.g., see col. 6, line 65 – col. 8, line 34); and transmitting the data packet with the radio frame over the radio link (e.g., see col. 6, lines 53-54).

Regarding claims 2 and 10, Hamiti teaches the data packet is transmitted without information related to changes in the IP identification, sequence number, or timestamp (e.g., see col. 6, lines 45-51 as well as col. 10, lines 45-51).

Regarding claims 3 and 11, Hamiti teaches transmitting static information regarding the data packet over the radio link (e.g., see col. 5, lines 56-59).

Regarding claims 5 and 13, Hamiti teaches reconstructing a sequence number within the sequence number header field (e.g., RTP sequence number field 316) of the packet header by incrementing a previous sequence number and assigning the incremented sequence number to the data packet (e.g., see col. 7, line 15 – col. 8, line 33 and specifically col. 8, lines 1-5 regarding

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incrementing and lines 24-25 regarding application to each of the other fields; see also col. 9, line 59 – col. 10, line 36 regarding increasing and mapping for RTP sequence number field 316; see also col. 12, lines 19-24 regarding deriving/reconstructing the sequence number).

Regarding claims 6 and 14, Hamiti teaches reconstructing the IP identification within the IP identification header field (e.g., IP identification field 335) of the packet from the reconstructed sequence number (e.g., see col. 9, line 59 – col. 10, line 36 regarding mapping for IP identification field 335; see also col. 12, lines 19-24 regarding deriving/reconstructing the IP identification number).

Regarding claims 7 and 15, Hamiti teaches reconstructing the time stamp within the time stamp header field (e.g., time stamp field 317) of the packet from the timing of the radio frame (e.g., see col. 12, lines 19-24 regarding deriving/reconstructing the time stamp).

Regarding claims 8 and 16, Hamiti teaches decompressing the packet header and forwarding the data packet to a next destination (e.g., see col. 13, lines 39-41).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamiti in view of applicant's admitted prior art (AAPA).

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Regarding claims 4 and 12, Hamiti teaches the method and system of claims 1 and 9 as discussed above, however, may not specifically disclose the header compression is in accordance with a ROCCO compression protocol. However, applicant admits that it is well known in the art to utilize a ROCCO compression protocol for implementing header compression (e.g., see specification, page 4). Thus, at the time of the invention it would have been obvious to one of ordinary skill in the art to utilize a ROCCO compression protocol for the header compression of Hamiti since applicant admits that it is well known in the art to utilize a ROCCO compression protocol for implementing header compression.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,717,689 to Ayanoglu discloses a data link layer protocol for transport of ATM cells over a wireless link; U.S. Patent No. 5,742,773 to Blomfield-Brown et al. discloses a method and system for audio compression negotiation for multiple channels; and U.S. Patent No. 5,987,022 to Geiger et al. discloses a method for transmitting multiple-protocol packetized data.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M Philpott whose telephone number is 571.272.3162. The examiner can normally be reached on M-F, 9:00am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on 571.272.3155. The fax phone number for the organization where this application or proceeding is assigned is 571.272.2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Justin M Philpott

  
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